

**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment

FROM: Arthur Jackson, Case Manager
Joel Lawson, Associate Director Development Review

DATE: July 24, 2012

SUBJECT: **BZA Case 18389** – Request for Special Exception Relief for an Accessory Apartment in the Basement of the One-family Detached Dwelling at 1206 Crittenden Street NW

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) **recommends** approval of:

- the special exception requested in accordance with § 202.10 for the requested basement apartment, subject to the condition that the property owner reside onsite; and
- the waiver requested from § 202.10 (c) in accordance with § 202.10 (i) to allow a larger apartment (25% of the total dwelling floor area or 691 square feet is allowed, 27% equal to 771 square feet or the entire basement is proposed).

II. AREA AND SITE DESCRIPTION

Address:	1206 Crittenden Street NW
Legal Description:	Square 2920 Lot 0034
Ward:	4C
Lot Characteristics:	A nearly rectangular corner lot with an area of 5,540 square feet (0.13 acre) and frontages along Crittenden Street and Georgia Avenue NW, and a public alley that is 10-feet wide.
Existing Development:	The three-story detached one-family dwelling on the subject property fronts onto Crittenden Street. There is no direct communication between the basement space and the upper two floors. A separate entrance on the western (side) facade provides the only access into the basement. A driveway from the existing garage also in the western side yard to the adjacent alley allows vehicular access to Crittenden Street. A gated wrought iron picket fence approximately four-feet tall also surrounds the property (refer to Figure 1).
Zoning:	<i>R-1-B</i> – one-family detached dwellings are allowed as a matter of right in this district and accessory apartments are allowed by special exception in accordance with § 202.10.
Historic District:	None



Surrounding Neighborhood Character:	Low-density residential uses.
Adjacent Properties:	The neighboring dwelling to the west across the alley was converted into office space per Board of Zoning Adjustment (BZA) Order 12754. Otherwise, similar one-family two-story detached dwellings line the Georgia Avenue and Crittenden Street frontage of this square. According to Office of Zoning records, no other accessory apartments have been approved on this square.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Margaret Chase, the owner of record
Proposal:	<p>To authorize a basement apartment in the one-family dwelling that is currently under renovation.</p> <p>When dwelling renovation plans associated with Building Permit NO. 1204880 were submitted to the D.C. Department of Consumer Affairs, the Zoning Administrator responded in a letter dated April 2, 2012 that special exception relief is required for the proposed basement apartment.</p> <p>The applicant wishes to use the entire basement (771 square feet) for the apartment which would equal 27% of the dwelling floor area total of 2,764 square feet.</p>
Relief Sought:	§ 202.10 – special exception approval for a basement accessory apartment. In response to a request for clarification from the Office of Planning (OP), the applicant also requested waiver of § 202.10 (c) to allow a basement apartment that would be larger than 25% of the total dwelling floor area (691 square feet).

IV. OP ANALYSIS

Compliance with § 202.10:

202.10 An accessory apartment may be added within an existing one-family detached dwelling if approved by the Board of Zoning Adjustment as a special exception under § 3104, subject to the following provisions:

- (a) The lot shall have a minimum lot area for the following zone Districts...*
 - (2) Five thousand square feet (5,000 ft.²) for R-1-B; According to this application, the subject property exceeds this standard.*
- (b) The house shall have at least two thousand square feet (2,000 ft.²) of gross floor area, exclusive of garage space; According to the application, the existing dwelling floor area exceeds this standard.*
- (c) The accessory apartment unit may not occupy more than twenty-five percent (25%) of the gross floor area of the house; Because the proposed basement foot apartment would occupy 27% of the dwelling floor area, the applicant requested waiver of this standard in accordance with § 202.10 (i) below.*
- (d) The new apartment may be created only through internal conversion of the house, without any additional lot occupancy or gross floor area; garage space may not be converted; The on-going renovations do not appear to*

involve increasing the previous lot occupancy or gross floor area. The existing garage is also not part of this proposal.

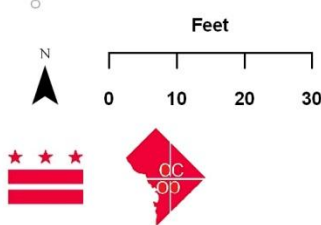
- (e) *If an additional entrance to the house is created, it shall not be located on a wall of the house that faces a street;* It appears from the faded submitted plans that no addition entrance was created for the accessory apartment.¹
- (f) *Either the principal dwelling or accessory apartment unit must be owner-occupied;* The applicant stated that she and her husband would occupy the principal dwelling once renovations are completed.
- (g) *The aggregate number of persons that may occupy the house, including the principal dwelling and the accessory apartment combined, shall not exceed six (6);* In response to an OP inquiry, the applicant confirmed that the total occupants of the principal dwelling and accessory apartment would not exceed 6 persons.
- (h) *An accessory apartment may not be added where a home occupation is already located on the premises...* Since the subject property was previously vacant, this standard is not applicable.
- (i) *The Board may modify or waive not more than two (2) of the requirements specified in paragraphs (a) through (h) of this subsection; provided, that the following occurs:*
 - (1) *The owner-occupancy requirement of paragraph (f) shall not be waived;* As noted above, the applicant and her husband would reside onsite once renovations are completed.
 - (2) *Any modification(s) approved shall not conflict with the intent of this section to maintain a single-family residential appearance and character in the R-1, R-2, and R-3 Districts; ...* The requested modification would only apply to the dwelling interior and would not alter its exterior appearance.
 - (3) *Any request to modify more than two (2) of the requirements of this subsection shall be deemed a request for a use variance.* Only one zoning provision would be modified under this proposal.

Based on this review, the application meets the applicable standards under § 210 for BZA approval.

V. COMMUNITY COMMENTS

On June 13, 2012, Advisory Neighborhood Commission (ANC) 4C voted unanimously to support the special exception relief requested in this case.

¹ The applicant was requested to bring a better print of the architectural plan sheet to the public hearing so this observation can be confirmed.



BZA Application No. 18389

Government of the District of Columbia
Office of Planning ~ May 22, 2012

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View from Crittenden Street NW